

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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STEPHANIE M. KOCH,

Plaintiff,

v.

ORDER  
12-CV-238A

CAROLYN W. COLVIN, Acting  
Commissioner of Social Security,

Defendant.

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The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On April 19, 2013, Magistrate Judge Scott filed a Report and Recommendation, recommending that the Decision of the Commissioner be affirmed, that defendant's motion for judgment on the pleadings be granted and plaintiff's motion for judgment on the pleadings in her favor be denied.

Plaintiff filed objections to the Report and Recommendation on May 3, 2013. Defendant filed a response to the objections on May 20, 2013. No reply was filed.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and

Recommendation, and after reviewing the submissions, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the Decision of the Commissioner is affirmed, defendant's motion for judgment on the pleadings is granted, and plaintiff's motion for similar relief in her favor is denied.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

*s/ Richard J. Arcara*

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HONORABLE RICHARD J. ARCARA  
UNITED STATES DISTRICT JUDGE

DATED: June 26, 2013